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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके ।

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

वित्त मंत्रालय
(राजस्व विभाग)

नई दिल्ली, 20 मार्च, 1986

अधिसूचनाएं

सं. 213/86-सीमा-शुल्क

जा. का. वि. 511(अ) — केन्द्रीय सरकार, सीमा-शुल्क अधिनियम, 1962 (1962 का 52) का धारा 25 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपना यह समाधान हो जाने पर कि लोक हित में ऐसा करना आवश्यक है, भारत सरकार के वित्त मंत्रालय (राजस्व विभाग) को अधिसूचना सं. 61/86—सीमा-शुल्क, जारी 17 फरवरी, 1986 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना से उपाबद्ध सारणी में, क्रम सं. 6 के सामने स्तंभ (2) में, विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी, अर्थात् :—

“72.11

72.12”

(फा. सं. 528/27/86-सी. शु. (टी यू))

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 20th March, 1986

NOTIFICATIONS

No. 213/86-CUSTOMS

G.S.R. 511(E).—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) the Central Government being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 61/86-Customs, dated the 17th February, 1986, namely :—

In the Table annexed to the said notification, against Serial No. 6 in column (2), for the existing entries, the following entries shall be substituted, namely :—

“72.11

72.12”

[F.No. 528/27/86-Cus (TU)]

सं. 214/86-सीमा-शुल्क

सा. का. नि. 512(अ) —केन्द्रीय सरकार, सीमा-शुल्क अधिनियम, 1962 (1962 का 52) की धारा 25 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपना यह समाधान हो जाने पर कि लोक-हित में ऐसा करना आवश्यक है, भारत सरकार के वित्त मंत्रालय के राजस्व विभाग की अधिसूचना सं. 134-सीमा-शुल्क, तारीख 17 फरवरी, 1986 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की सलाही में, त्रम सं. 2 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित त्रम सं. और प्रविष्टिया अतःस्थापित की जाएंगी, अर्थात्:—

| (1) | (2) | (3) |
|-----|--|-----|
| "3 | उपशीर्ष सं. 8533.90, 8538.10, मूल्य का 60 प्रतिशत" | |
| | 8538.90, 8539.90, 8540.91, | |
| | 8540.99, 8541.90 और | |
| | 8543.90 के अंतर्गत आने वाले, | |
| | उपर्युक्त त्रम सं. 2 के अंतर्गत | |
| | आने वाले माल के पुर्जे | |

[फा. सं. 528/27/86-सी०शु (री यू)]

एम० एन० विश्वास, अवर सचिव

No. 214/86-CUSTOMS

G.S.R. 512(E).—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India, Ministry of Finance, Department of Revenue, No. 134—Customs, dated the 17th February, 1986, namely:—

In the Table to the said notification, after Sl. No. 2 and the entries relating thereto, the following Sl. No. and entries shall be inserted, namely:—

| (1) | (2) | (3) |
|-----|--|----------|
| "3. | Parts of goods covered by Sl. No. 2 above, | 60 |
| | falling under sub-heading Nos. 8533.90, | per cent |
| | 8538.10, 8538.90, 8539.90, 8540.91, 8540.99, <i>ad valorem</i> " | |
| | 8541.90 and 8543.90. | |

[F.No. 528/27/86-Cus(TU)]

M.N. BISWAS, Under Secy.

परन्तु अध्यक्ष के संबंध में कोई अर्जी महासचिव को सम्बोधित की जायेगी :

(3) महासचिव,—

(क) उपनियम (2) के परन्तुक के अधीन दी गई अर्जी की प्राप्ति के पश्चात् यथाशीघ्र, उसके बारे में सदन को एक रिपोर्ट देगा ; और

(ख) दसवी अनुसूची के पैरा 6 के उप-पैरा (1) के परन्तुक के अनुसरण में सदन द्वारा किसी सदस्य के निर्वाचित किए जाने के पश्चात् अर्जी को यथाशीघ्र उस सदस्य के समक्ष प्रस्तुत करेगा ।

(4) किसी सदस्य के संबंध में कोई अर्जी देने से पूर्व, अर्जीदार अपना यह समाधान करेगा कि यह विश्वास करने के युक्तियुक्त आधार हैं कि यह प्रश्न उठता है कि क्या वह सदस्य दसवी अनुसूची के अधीन निरहता से ग्रस्त हो गया है या नहीं ।

(5) प्रत्येक अर्जी :—

(क) अर्जी में उन सात्विक तथ्यों का संक्षिप्त विवरण होगा, जिन पर अर्जीदार निर्भर करता है ; और

(ख) अर्जी के साथ ऐसे दस्तावेजों साथ की, यदि कोई हो, प्रतियां, संलग्न होंगी, जिस पर अर्जीदार निर्भर करता है, और जहां अर्जीदार किसी व्यक्ति द्वारा उसे दी गई किसी जानकारी पर निर्भर करता है, वहां उन व्यक्तियों के नाम और पते सहित विवरण और ऐसे प्रत्येक व्यक्ति द्वारा दी गई ऐसी जानकारी का सारांश संलग्न होगा ।

(6) प्रत्येक अर्जी पर अर्जीदार के हस्ताक्षर होंगे और उसे, अभिवचनों के सत्यापन के लिए सिविल प्रक्रिया संहिता, 1908 (1908 का 5) में अधिकथित रीति से सत्यापित किया जाएगा ।

(7) अर्जी के प्रत्येक उपाबंध पर भी अर्जीदार के हस्ताक्षर होंगे और उसे अर्जी के समान रीति से ही सत्यापित किया जाएगा ।

7. प्रक्रिया : (1) नियम 6 के अधीन अर्जी प्राप्त होने पर, अध्यक्ष इस बात पर विचार करेगा कि क्या अर्जी उक्त नियम की अपेक्षाओं का अनुपालन करती है ।

(2) यदि अर्जी नियम 6 की अपेक्षाओं का अनुपालन नहीं करती है तो अध्यक्ष अर्जी को रद्द करेगा और अर्जीदार को तदनुसार संसूचित करेगा ।

(3) यदि अर्जी नियम 6 की अपेक्षाओं का अनुपालन करती है, तो अध्यक्ष अर्जी और उसके उपाबंधों की प्रतियां —

(क) उस सदस्य को भिजवाएगा, जिसके संबंध में अर्जी दी गई है ; और

(ख) जहां ऐसा सदस्य किसी विधान-दल का है, और ऐसी अर्जी उस दल के नेता ने नहीं दी है, वहां ऐसे नेता को भी भिजवाएगा,

और ऐसा सदस्य या नेता, ऐसी प्रतियों की प्राप्ति से सात दिन के भीतर, या ऐसी अतिरिक्त अवधि के भीतर, जिसकी अध्यक्ष पर्याप्त हेतु के आधार पर अनुज्ञा दे, उस पर अपनी लिखित टिप्पणियां अध्यक्ष को भेजेगा ।

(4) अर्जी के संबंध में, अनुज्ञात अवधि (चाहे मूलतः या उक्त उप नियम के अधीन विस्तारित) के भीतर, उपनियम (3) के अधीन प्राप्त टिप्पणियों पर, यदि कोई हों, विचार करने के पश्चात् अध्यक्ष या तो

प्रश्न का अवधारण करने के लिए अग्रसर होगा या, यदि उसका उस मामले की प्रकृति और परिस्थितियों को ध्यान में रखते हुए यह समाधान हो जाता है कि ऐसा करना आवश्यक या समीचीन है तो वह अर्जी की प्रारंभिक जांच रिपोर्ट प्रस्तुत करने के लिए उसे समिति को निदिष्ट करेगा ।

(5) अध्यक्ष, उपनियम (4) के अधीन समिति की अर्जी निदिष्ट करने के पश्चात्, यथाशीघ्र, अर्जीदार को तदनुसार संसूचित करेगा और ऐसे निर्देश के संबंध में सदन में घोषणा करेगा या, यदि सदन का सत्र उस समय नहीं चल रहा है तो उस निर्देश की सूचना समाचार में प्रकाशित कराएगा ।

(6) जहां अध्यक्ष समिति को उप नियम (4) के अधीन निर्देश करता है, वहां यह समिति से रिपोर्ट प्राप्त होने के पश्चात्, यथाशीघ्र, उस प्रश्न का अवधारण करेगा ।

(7) वह प्रक्रिया जिसका अनुसरण अध्यक्ष उप नियम (4) के अधीन किसी प्रश्न के अवधारण के लिए करेगा और यह प्रक्रिया जिसका अनुसरण समिति प्रारंभिक जांच के प्रयोजन के लिए करेगी, यथासंभव, वही प्रक्रिया होगी जिसका समिति किसी सदस्य द्वारा सदन के विशेषाधिकार का भंग किये जाने के किसी प्रश्न का अवधारण करने के लिए अनुसरण करती है और अध्यक्ष या समिति इस निष्कर्ष पर कि वह सदस्य दसवी अनुसूची के अधीन निरहता से ग्रस्त हो गया है, तब पहुंचेंगे जब कि उस सदस्य को अपना पक्ष प्रस्तुत करने का और व्यक्तिगत रूप से और यदि वह चाहता है तो, उसकी इच्छानुसार परामर्शों की सुनवाई का समुचित अवसर प्रदान किया गया है ।

(8) उपनियम (1) से (7) तक के उपबन्ध अध्यक्ष के संबंध में दी गई अर्जी के बारे में उसी प्रकार लागू होंगे जैसे कि वे किसी अन्य सदस्य के संबंध में दी गई अर्जी के बारे में लागू होते हैं, तथा इस प्रयोजनार्थ, इन उप नियमों में अध्यक्ष के प्रति निर्देश का अर्थ दसवी अनुसूची के पैरा 6 के उप-पैरा (1) के परन्तुक के अंतर्गत सदन द्वारा निर्वाचित सदस्य के प्रति निर्देश सहित लगाया जाएगा ।

8. अर्जी पर विनिश्चय : (1) अर्जी पर विचार पूरा होने के पश्चात् यथास्थिति, अध्यक्ष या दसवी अनुसूची के पैरा 6 के उप-पैरा (1) के परन्तुक के अधीन निर्वाचित सदस्य, लिखित आदेश द्वारा :—

(क) अर्जी को खारिज करेगा ; या

(ख) यह घोषणा करेगा कि वह सदस्य जिस के संबंध में अर्जी दी गई है, दसवी अनुसूची के अधीन निरहता से ग्रस्त हो गया है, और उस आदेश की प्रतियां अर्जीदार को, उस सदस्य को, जिसके संबंध में अर्जी दी गई है, और संबंधित विधान दल के नेता को, यदि कोई हो, परिदत्त या अग्रेषित करवाएगा ।

(2) ऐसा प्रत्येक विनिश्चय, जिसमें किसी सदस्य को दसवी अनुसूची के अधीन निरहता से ग्रस्त घोषित किया गया है सदन को, यदि वह सत्र में है, तुरन्त रिपोर्ट किया जाएगा, और यदि सदन सत्र में नहीं है तो सदन के पुनः सम्मेलन होने के तुरन्त पश्चात् रिपोर्ट किया जाएगा ।

(3) उप नियम (1) में निदिष्ट प्रत्येक विनिश्चय समाचार में प्रकाशित किया जाएगा और राजपत्र में अधिसूचित किया जाएगा तथा महासचिव उस विनिश्चय की प्रतियां भारत के निर्वाचन आयोग को और केन्द्रीय सरकार को अग्रेषित करेगा ।

9. इन नियमों के विस्तृत कार्यकरण के संबंध में निदेश : अध्यक्ष समय-समय पर ऐसे निदेश जारी कर सकेगा, जो वह इन नियमों के विस्तृत कार्यकरण के बारे में आवश्यक समझे ।

प्ररूप— 1

[देखिए नियम 3 (1) (क)]

विधान-दल का नाम :

तत्स्थानी राजनीतिक दल का नाम

| क्रम संख्या | सदस्य का नाम (स्पष्ट अक्षरों में) | पिता/पति का नाम | स्थायी पता | किस राज्य में निर्वाचित है | किस निर्वाचन क्षेत्र से निर्वा- चित है |
|----------------|--------------------------------------|-----------------|------------|----------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 |

तारीख :

विधान-दल के नेता के हस्ताक्षर

प्ररूप— 2

[देखिए नियम (3) (6)]

सेवा में,

अध्यक्ष,

लोक सभा ।

महोदय,

मदन की _____ (तारीख) को हुई बैठक में _____ विषय पर हुए मतदान में
 † श्री _____ मतदाता सदस्य ने जिनकी (विभाजन संख्या _____) । मैंने/मैंने अर्थात् _____ (सदस्य का नाम), संसद
 _____) है और जो _____ (राजनीतिक दल का नाम) के सदस्य, (विभाजन संख्या _____), _____
 सदस्य, तथा जो _____ (विधान-दल का नाम) के हैं _____ (राजनीतिक दल का नाम) का सदस्य और _____ (विधान
 _____) दल का नाम) का नेता/एकमात्र सदस्य,

_____ (व्यक्ति/प्राधिकारी/दल द्वारा दिए गए निर्देशों के विरुद्ध उक्त/प्राधिकारी/दल) की पूर्व अनुज्ञा प्राप्त किए बिना मतदान किया है/
 मतदान करने से विरत रहा है/रहा है।

2 _____ (तारीख) की पूर्वोक्त मामले पर _____ *† (व्यक्ति/प्राधिकारी/दल) द्वारा विचार किया गया और उक्त
 मतदान करने/मतदान करने में विरत रहने को, उसके* द्वारा माफ* किया गया/माफ नहीं किया गया।

भवदीय

तारीख

(हस्ताक्षर)

† अनुस्यूक्त शब्दों/अंश को काट दें।

* यहाँ पर, यथास्थिति, ऐसे व्यक्ति, प्राधिकारी, दल का नाम लिखें जिसने निर्देश जारी किया है।

प्ररूप—3

(देखिए नियम 4)

1. सदस्य का नाम (स्पष्ट अक्षरों में):
2. पिता/पति का नाम:
3. स्थायी पता:
4. दिल्ली का पता:
5. निर्वाचन/नामनिर्देशन की तारीख:
6. जिस दल से संबद्ध है/हैं—
 - (i) निर्वाचन/नाम-निर्देशन की तारीख को;
 - (ii) *28 फरवरी, 1985 को;
 - (iii) इस प्ररूप पर हस्ताक्षर करने की तारीख ।

घोषणा

मैं—यह घोषणा करता हूँ कि उपरोक्त जानकारी सत्य और सही है।

ऊपर दी गई जानकारी में कोई परिवर्तन होने पर, मैं अध्यक्ष महोदय को तत्काल सूचित करने का वचन देता हूँ।

तारीख:

सदस्य के हस्ताक्षर/अंगूठे का निशान

* 1 मार्च, 1985, अर्थात् संविधान (52वां संशोधन) अधिनियम, 1985 के प्रारम्भ होने की तारीख से पूर्व निर्वाचित या नाम-निर्देशित सदस्यों द्वारा ही भरा जाएगा।

प्ररूप—4

[देखिए नियम 5 (1)]

| सदस्य का नाम (स्पष्ट अक्षरों में) | पिता/पति का नाम | स्थायी पता | दिल्ली का पता | राज्य जिससे निर्वाचित | निर्वाचन/नाम- निर्देशन की तारीख | जिससे वह संबद्ध है उस राजनीतिक दल का नाम | जिससे वह संबद्ध है उस विधान-दल का नाम | टिप्पणी |
|--------------------------------------|--------------------|------------|---------------|--------------------------|------------------------------------|--|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

[एफ. सं. 17/सी-एक/85-86]

“सुभाष काश्यप, महासचिव”

LOK SABHA

New Delhi, the 18th March, 1986

NOTIFICATION

G.S.R. 510(E).—The Members of Lok Sabha (Disqualification on ground of Defection) Rules, 1985, made by the Speaker, Lok Sabha in pursuance of the provisions contained in sub-paragraph (1) of paragraph 8 of the Tenth Schedule to the Constitution of India, which have come into force with effect from 18 March, 1986 are hereby published for general information :—

“THE MEMBERS OF LOK SABHA
(DISQUALIFICATION ON GROUND OF
DEFECTION) RULES, 1985

In exercise of the powers conferred by paragraph 8 of the Tenth Schedule to the Constitution of India, the Speaker, Lok Sabha, hereby makes the following rules, namely :—

1. Short Title.—These rules may be called the Members of Lok Sabha (Disqualification on ground of Defection) Rules, 1985.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) ‘Bulletin’ means the Bulletin of the House of the People (Lok Sabha) ;
- (b) ‘Committee’ means the Committee of Privileges of the House of the People (Lok Sabha) ;
- (c) ‘Form’ means a form appended to these rules ;
- (d) ‘date of commencement’, in relation to these rules means the date on which these rules take effect under sub-paragraph (2) of paragraph 8 of the Tenth Schedule ;
- (e) ‘House’ means the House of the People (Lok Sabha) ;
- (f) ‘leader’, in relation to a legislature party, means a member of the party chosen by it as its leader and includes any other member of the party authorised by the party to act, in the absence of the leader as, or discharge the functions of, the leader of the party for the purposes of these rules ;
- (g) ‘member’ means a member of the House of the People (Lok Sabha) ;
- (h) ‘Tenth Schedule’ means the Tenth Schedule to the Constitution of India ;
- (i) ‘Secretary-General’ means the Secretary-General to the House of the People (Lok Sabha) and includes any person for the time being performing the duties of the Secretary-General.

3. Information to be furnished by leader of a legislature party.—(1) The leader of each legislature party (other than a legislature party consisting of only one member) shall, within thirty days after the first sitting of the House, or, where such legislature party is formed after the first sitting, within thirty days after its formation, or, in either case within such further period as the Speaker may for sufficient cause allow, furnish the following to the Speaker, namely :—

- (a) a statement (in writing) containing the names of members of such legislature party together with other particulars regarding such members as in Form I and the names and designations of the members of such party who have been authorised by it for communicating with the Speaker for purposes of these rules ;
- (b) a copy of the rules and regulations (whether known as such or as constitution or by any other name) of the political party concerned ; and
- (c) where such legislature party has any separate set of rules and regulations (whether known as such or as constitution or by any other name), also a copy of such rules and regulations.

(2) Where a legislature party consists of only one member, such member shall furnish a copy of the rules and regulations mentioned in clause (b) of sub-rule (1) to the Speaker, within thirty days after the first sitting of the House or, where he has become a member of the House after the first sitting, within thirty days after he has taken his seat in the House, or, in either case within such further period as the Speaker may for sufficient cause allow.

(3) In the event of any increase in the strength of a legislature party consisting of only one member, the provisions of sub-rule (1) shall apply in relation to such legislature party as if such legislature party had been formed on the first date on which its strength increased.

(4) Whenever any change takes place in the information furnished by the leader of a legislature party under sub-rule (1) or by a member under sub-rule (2), he shall, within thirty days thereafter, or, within such further period as the Speaker may for sufficient cause allow, furnish in writing information to the Speaker with respect to such change.

(5) In the case of the House in existence on the date of commencement of these rules, the reference in sub-rule (1) and (2) to the date of the first sitting of the House shall be construed as a reference to the date of commencement of these rules.

(6) Where a member belonging to any political party votes or abstains from voting in the House contrary to any direction issued by such political party or by any person or authority authorised by it in this behalf, without obtaining, in either case, the prior permission of such political party, person or authority, the leader of the legislature party concerned or where such member is the leader, or as the case

may be, the sole member of such legislature party, such member, shall, as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days from the date of such voting or abstention, inform the Speaker as in Form II whether such voting or abstention has or has not been condoned by such political party, person or authority.

Explanation : A member may be regarded as having abstained from voting only when he, being entitled to vote, voluntarily refrained from voting.

4. Information etc. to be furnished by members.—

(1) Every member who has taken his seat in the House before the date of commencement of these rules shall furnish to the Secretary-General, within thirty days from such date or within such further period as the Speaker may for sufficient cause allow, a statement of particulars and declaration as in Form III.

(2) Every member who takes his seat in the House after the commencement of these rules shall, before making and subscribing an oath or affirmation under article 99 of the Constitution and taking his seat in the House, deposit with the Secretary-General, his election certificate or, as the case may be, a certified copy of the notification nominating him as a member and also furnish to the Secretary-General a statement of particulars and declaration as in form III.

Explanation : For the purposes of this sub-rule, "Election Certificate" means the certificate of election issued under the Representation of the People Act, 1951 (43 of 1951) and the rules made thereunder.

(3) A summary of the information furnished by the members under this rule shall be published in the Bulletin and if any discrepancy therein is pointed out to the satisfaction of the Speaker, necessary corrigendum shall be published in the Bulletin.

5. Register of information as to members.—

(1) The Secretary-General shall maintain, as in Form IV, a register based on the information furnished under rules 3 and 4 in relation to the members.

(2) The information in relation to each member shall be recorded on a separate page in the Register.

6. References to be by petitions.—(1) No reference of any question as to whether a member has become subject to disqualification under the Tenth Schedule shall be made except by a petition in relation to such member made in accordance with the provisions of this rule.

(2) A petition in relation to a member may be made in writing to the Speaker by any other member.

Provided that a petition in relation to the Speaker shall be addressed to the Secretary-General.

(3) The Secretary-General shall,—

- (a) as soon as may be after the receipt of a petition under the proviso to sub-rule (2) make a report in respect thereof to the House; and

- (b) as soon as may be after the House has elected a member in pursuance of the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule place the petition before such member.

(4) Before making any petition in relation to any member, the petitioner shall satisfy himself that there are reasonable grounds for believing that a question has arisen as to whether such member has become subject to disqualification under the Tenth Schedule.

(5) Every petition,—

- (a) shall contain a concise statement of the material facts on which the petitioner relies; and
- (b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and where the petitioner relies on any information furnished to him by any person, a statement containing the names and addresses of such persons and the gist of such information as furnished by each such person.

(6) Every petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908), for the verification of pleadings.

(7) Every annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

7. Procedure.—(1) On receipt of a petition under rule 6, the Speaker shall consider whether the petition complies with the requirements of that rule.

(2) If the petition does not comply with the requirements of rule 6, the Speaker shall dismiss the petition and intimate the petitioner accordingly.

(3) If the petition complies with the requirements of rule 6, the Speaker shall cause copies of the petition and of the annexures thereto to be forwarded,—

- (a) to the member in relation to whom the petition has been made; and
- (b) where such member belongs to any legislature party and such petition has not been made by the leader thereof, also to such leader, and such member or leader shall, within seven days of the receipt of such copies, or within such further period as the Speaker may for sufficient cause allow, forward his comments in writing thereon to the Speaker.

(4) After considering the comments, if any, in relation to the petition, received under sub-rule (3) within the period allowed (whether originally or on extension under that sub-rule), the Speaker may either proceed to determine the question or, if he is satisfied, having regard to the nature and circumstances of the case that it is necessary or expedient

so to do, refer the petition to the Committee for making a preliminary inquiry and submitting a report to him.

(5) The Speaker shall, as soon as may be after referring a petition to the Committee under sub-rule (4), intimate the petitioner accordingly and make an announcement with respect of such reference in the House or, if the House is not then in session, cause the information as to the reference to be published in the Bulletin.

(6) Where the Speaker makes a reference under sub-rule (4) to the Committee, he shall proceed to determine the question as soon as may be after receipt of the report from the Committee.

(7) The procedure which shall be followed by the Speaker for determining any question and the procedure which shall be followed by the Committee for the purpose of making a preliminary inquiry under sub-rule (4) shall be, so far as may be, the same as the procedure for inquiry and determination by the Committee of any question as to breach of privilege of the House by a member, and neither the Speaker nor the Committee shall come to any finding that a member has become subject to disqualification under the Tenth Schedule without affording a reasonable opportunity to such member to represent his case and to be heard in person.

(8) The provisions of sub-rules (1) to (7) shall apply with respect to a petition in relation to the Speaker as they apply with respect to a petition in relation to any other member and for this purpose, reference to the Speaker in these sub-rules shall be construed as including references to the member

elected by the House under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule.

8. Decision on petitions.—(1) At the conclusion of the consideration of the petition, the Speaker or, as the case may be, the member elected under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule shall be order in writing,—

- (a) dismiss the petition, or
- (b) declare that the member in relation to whom the petition has been made has become subject to disqualification under the Tenth Schedule, and cause copies of the order to be delivered or forwarded to the petitioner, the member in relation to whom the petition has been made and to the leader of the legislature party, if any, concerned.

(2) Every decision declaring a member to have become subject to disqualification under the Tenth Schedule shall be reported to the House forthwith if the House is in session, and if the House is not in session, immediately after the House reassembles.

(3) Every decision referred to in sub-rule (1) shall be published in the Bulletin and notified in the Official Gazette and copies of such decision forwarded by the Secretary-General to the Election Commission of India and the Central Government.

9. Directions as to detailed working of these rules.—The Speaker may, from time to time, issue such directions as he may consider necessary in regard to the detailed working of these rules.

FORM I

[See Rule 3(1)(a)]

Name of the Legislature Party:

Name of the corresponding political party:

| S.No. | Name of the Member (in block letters) | Father's/ husband's name | Permanent Address | Name of the State from which elected | Name of the Constituency from which elected. |
|-------|--|--------------------------------|----------------------|--|---|
| (1) | (2) | (3) | (4) | (5) | (6) |

Date:

Signature of the leader of the legislature party.

FORM II

[See Rule 3(6)]

To

The Speaker,
Lok Sabha.

Sir

At the sitting of the House held on (date) during voting on
(subject-matter).....

| | |
|---|--|
| †Shri. M.P. (Division No.) member of (name of political party), and member of (name of legislature party) had voted/abstained from voting, | †I, : (name of the member) M.P., (Division No.), member of (name of the political party) and leader of/sole member of (name of legislature party) voted/abstained from voting, |
|---|--|

contrary to the direction issued by *(†Person/authority/party) without obtaining
the prior permission of the said *person/authority/party.2. On (date) the aforesaid matter was considered by
*(†person/authority/party) and the said †voting/abstention was †condoned/was not condoned by †him/it.

Yours faithfully,

Date:

(Signature)

†Strike out inappropriate words/portions.

*(Here mention the name of the person/authority/party, as the case may be, who had issued the direction).

FORM III

(See Rule 4)

1. Name of the member (in block letters):
2. Father's/husband's name:
3. Permanent Address:
4. Delhi Address:
5. Date of election/nomination:
6. Party affiliation as on—
 - (i) Date of election/nomination:
 - (ii) The *28th February, 1985:
 - (iii) Date of signing this form:

DECLARATION

I hereby declare that the information given above is true and correct.

In the event of any change in the information above, I undertake to intimate the Speaker immediately.

Signature/thumb impression of member

Date:

*To be filled in only by member elected or nominated before the 1st March, 1985, being the date of commencement of the Constitution (52nd Amendment) Act, 1985.

FORM IV

[See Rule 5(I)]

| Name of the member (in block letters) | Father's/ husband's name | Perma- nent Address | Delhi Address | Name of the State from which elected | Date of election/ nomination | Name of political party to which he belongs | Name of legislature party to which he belongs | Remarks |
|---------------------------------------|--------------------------|---------------------------|------------------|--------------------------------------|------------------------------|---|---|---------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |

[F.No. 17C/I/85-86]

SUBHASH C. KASHYAP, Secretary-General."